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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,324	12/18/2001	Urpo Tuomela	413-010763-US(PAR)	6731
2512	7590	12/27/2004	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			CHO, UN C	
			ART UNIT	PAPER NUMBER
			2687	
DATE MAILED: 12/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/024,324

Applicant(s)

TUOMELA ET AL.

Examiner

Un C Cho

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunzinger in view of Teller et al. (US 6,605,038).

Regarding claim 1, Hunzinger teaches a mobile terminal (Fig. 1B, 106), reminder, arranged so as to collect, process and indicate information needed by an individual user wherein the mobile terminal comprises a processor (Fig. 1B, 152) with means arranged so as to make location based decisions to guide the actions of the user of the mobile terminal (Hunzinger, Paragraph 0019, lines 1 – 4, Paragraph 0020, lines 1 – 7 and Paragraph 0026, lines 1 - 15).

However, Hunzinger as applied to claim 1 above does not specifically disclose said context including non-location information. In an analogous art, Teller discloses a wireless device (armband sensor device, Fig. 12, 400, Col. 19, line 59 through Col. 20, line 7) arranged so as to collect (through sensors such as heat flux sensor and GSR sensor, Fig. 13, 460 and 465, Col. 22, lines 11 – 24) physiological information such as galvanic skin response and heat flow of the individual wearing the sensor device (Col. 1, lines 59 – 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to provide the technique of Teller to the system of Hunzinger in order to provide a system for detecting, monitoring and reporting human physiological information.

Regarding claim 2, Hunzinger in view of Teller as applied to claim 1 above discloses that the mobile terminal comprises a memory (Fig. 1B, 156) arranged so as to provide an activity log in the mobile terminal (Hunzinger, Paragraph 0019 lines 4 – 5 and Paragraph 0021 lines 1 – 6).

Regarding claim 3, Hunzinger in view of Teller as applied to claim 2 above discloses that the mobile terminal comprises an alarm/display (Fig. 4, 400), a user interface for the device (Fig. 4) and the mobile terminal is able to receive and transmit data (Hunzinger, Paragraph 0030, lines 1 – 18, Paragraph 0033, lines 1 - 4 and Paragraph 0015, lines 1 – 2).

Regarding claim 4, Hunzinger in view of Teller as applied to claim 3 above discloses that the mobile terminal (Fig. 1B, 106) is arranged so as to function as a terminal in a cellular network (Hunzinger, Paragraph 0015, lines 2 – 8 and Paragraph 0016, lines 1 – 10).

Regarding claim 5, Hunzinger in view of Teller as applied to claim 4 above discloses that the cellular network terminal is arranged so as to function as a personal cellular phone (Hunzinger, Paragraph 0018, lines 1 – 9).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 6 is rejected under 35 U.S.C. 102(e) as being anticipated by Hunzinger (US 2002/0086680).

Regarding claim 6, Hunzinger discloses that the mobile terminal monitors the current location and triggers the stored action when it detects that it has reentered the vicinity of the stored-location (Hunzinger, Paragraph 0026, lines 1 – 7).

Regarding claim 7, Hunzinger discloses that the monitoring arrangements are arranged so as to communicate their data through a CDMA standard (Hunzinger, Paragraph 0015, lines 1 – 8).

Regarding claim 8, Hunzinger discloses that the data communicated by the monitoring arrangements are arranged so as to the parameters are stored in the memory of the mobile terminal (Hunzinger, Paragraph 0019, lines 4 – 5).

Regarding claim 9, Hunzinger discloses that the monitoring arrangement used is a location monitoring arrangement (Hunzinger, Paragraph 0023, lines 1 – 20).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1 – 9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tokkonen (US 2003/0087665) discloses a mobile communication device having a reminder function that may be associated functionally with triggering events and triggered actions associated with the mobile communication device.

Buhrmann et al. (US 5,903,845) discloses personal information manager for updating a telecommunication subscriber profile.

Buhrmann et al. (US 5,933,778) discloses method and apparatus for providing telecommunication services based on a subscriber profile updated by a personal information manager.

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7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (703) 305-8725. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (703) 306-3016. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Un C Cho 12/13/04 UC  
Examiner  
Art Unit 2687

  
2/22/07  
LESTER G. KINCAID  
PRIMARY EXAMINER